

## REMARKS

With the entry of this Amendment, claims 1-6 will be pending in this patent application.

### PRIOR ART REJECTION

Claims 1-3 were rejected under 35 USC 103(a) as being unpatentable over JP 11-123911 (JP '911) in view of US 4898216 (Schultz et al.). Applicant traverses this rejection insofar as it might be deemed applicable to any of claim 1-6 as now presented.

Without acquiescing in the rejection, Applicant has amended claims 1-3 to clarify the claimed subject matter and recite additional aspects of the invention. As amended, all of the independent claims specify that the air pressure under consideration is in a tire of a vehicle equipped with a navigation device including a user-operable display and that different types of tires are presented on the display. Claim 3 has also been amended to use accepted language for claiming a program. Support for the amendments to the independent claims can be found in the original specification in this application on page 6, lines 1-3, and page 9, lines 14-24. New claims 4-6 recite additional patentable features of the invention. Support for the subject matter recited in the new claims can be found on page 9, lines 14-15.

In the method, apparatus and program disclosed and claimed by Applicant, the operator of the vehicle can select from different types of tires presented in the user-operable display of a navigation device, so that the threshold values used for determining decreased tire pressure correspond to values appropriate for tires actually in use on the vehicle. Applicant's invention thus enables a judgment of decrease in tire air pressure that can be performed more accurately and reliably with fewer erroneous alarms. The advantages of Applicant's method, apparatus and program are not available in known tire pressure monitoring systems or in any obvious modifications of those systems.

The Examiner acknowledges that the tire pressure detecting and alarming system disclosed in JP '911 determines the type of tire on the vehicle automatically and sets the threshold value for tire pressure decrease based on whether a winter or summer tire is in use. The Examiner correctly observes that the system taught by JP'911 does not provide for selection by the user from different tires presented on a display. As a remedy for deficiencies of the

disclosure in JP '911 vis-à-vis the requirements of Applicant's claims, the Examiner proposes a modification of the JP911 system whereby it will employ a tire selection display "in order to allow an operator to more easily select which tires were in use on a vehicle." As a basis for this modification of the JP '911 system, the Examiner cites the disclosure in Shultz et al.

The Examiner characterizes the Shultz et al. patent as disclosing "a vehicle tire pressure system comprising display means (Fig. 3) for allowing a user to designate a specific tire in use so that the tire pressure is adjusted for the particular tire selected." Applicant respectfully submits that the Examiner's characterization of the disclosure in Schultz et al. is incorrect. In the control system and method disclosed by Schultz et al., the operator of the vehicle can remotely vary and/or maintain the pressure of one or more tires on the vehicle. As shown in Fig. 3 of Schultz et al., control panel 102 has buttons 104, 106, 108, 110 and 112 by which a desired tire pressurization setting may be selected. (See, column 5, lines 22-25, of Shultz et al.) The labels next to the button denote *pressurization settings* for different *operating conditions* of the vehicle. There is no disclosure or suggestion in Schultz et al. that the buttons on control panel are used to select from among different types of tires. In fact, Schultz et al. offers no disclosure or suggestion of enabling the vehicle operator to make a selection from among different tire types used on the vehicle in order to compensate for different properties of the tires when monitoring air pressures within the tires.

As noted above, JP'911 provides no disclosure or suggestion of an operator input to select from among different tire types. While Schultz et al. does provide for operator input, the only selection presented to the operator is from among different pressurization levels. From these considerations, it is apparent that the disclosure in Schultz et al. would be of little value to anyone practicing the JP '911 invention. Applicant cannot agree with the Examiner's proposal to modify the JP '911 system based on the Schultz et al. disclosure. Additionally, Applicant submits that no application of the Schultz et al. teachings to the JP '911 system would yield a system that would meet the requirements of Applicant's claims as now presented. There is no disclosure or suggestion in either of JP '911 and Schultz et al. of employing operator input regarding the type of tire in use, much less a disclosure or suggestion of presenting different tire types to an operator on a user-operable display of a navigation device.

In view of the foregoing observations, Applicant submits that no reasonable combination of the disclosures in JP '911 and Schultz et al. can properly serve as a basis for rejecting any of claims 1-6, as now presented, under 35 USC 103(a).

#### OTHER PRIOR ART

Applicant has considered the other prior art cited by the Examiner. Applicant is not commenting on this prior art, because it was not applied against the claims in this application.

#### CONCLUSION

In view of the amendments, observations and arguments presented herein, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection stated in the outstanding Office Action and recognize all of the pending claims as allowable.

If unresolved matters remain in this application, the Examiner is invited to contact Frederick R. Handren, Reg. No. 32,874, at the telephone number provided below, so that these matters can be resolved expeditiously.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: May 14, 2007

Respectfully submitted,

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